

-5-

REMARKS

This communication is in response to the Office Action mailed on December 1, 2004. In the Office Action, claims 1-20 were pending. With this amendment, independent claims 1 and 10 have been amended. Applicants note that these amendments pertain to subject matter previously present in dependent claims 3, 4 and 12. Subsequently, claims 3, 4 and 12 have been cancelled and claims 5, 13 and 14 have been amended to correct dependency issues. Furthermore, claims 18-20 have been cancelled.

On page 3 of the Office Action, claims 18-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Satoh (U.S. Pat. No. 5,469,418). As discussed above, claims 18-20 have been cancelled.

On page 4 of the Office Action, claims 1, 2, 6-11 and 15-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamura (U.S. Pat. 5,677,901) in view of Satoh. Amended claim 1 recites, in part, a method that includes reading data from a number of sectors during a first operation, identifying error sectors having a number of errors above a predetermined threshold, correcting the error sectors, and writing data to only the error sectors during a second operation. By writing data to only the error sectors, processing time is reduced and generation of errors in non-error sectors is avoided. Claim 10 is directed to a system having similar features to claim 1.

Iwamura relates to methods for reproducing and decoding data recorded on an optical disc in which an entire track of data is copied into a buffer. The entire track of data is then read out of the buffer, processed using an error correction code and copied back into the buffer. The data is then read from the buffer for decoding.

Satoh describes a write operation and a read operation. In the write operation discussed from col. 3, l. 49 to col. 4, l. 16, a number of sectors are written to an optical disc in a single operation. Then, all of the sectors are read using the read

operation and it is determined whether a number of errors is above a particular threshold. As described, the entire write operation (which includes a number of sectors) is evaluated based on the number of errors in the entire write operation. For example, Satoh describes, "If the number of error bytes is smaller than the prescribed standard, it is determined that the write operation has been correctly performed, and otherwise it is determined that the write operation was not correctly performed..." (emphasis added). The write operation includes a prescribed number of sectors. The Office Action contends that the above description of Satoh provides that error sectors having a number of errors above a threshold are identified. However, from the discussion above, Applicants contend that Satoh is unclear on whether the errors are identified on a sector-by-sector basis.

In addition to the discussion above, Applicants respectfully submit that combining Iwamura and Satoh would not achieve the present invention. As mentioned in the Office Action, Iwamura does not teach identifying error sectors having a number of errors above a predetermined threshold. Furthermore, Satoh is unclear as to how errors are identified and corrected. Even if error sectors within a given track are identified in Satoh, the combination does not teach or suggest writing corrected data back to only the error sectors as recited in claims 1 and 10.

The Office Action asserts that Satoh substantially describes a masking means. However, no such description of a masking means is provided in Satoh. Additionally, the Office Action does not present any evidence with regards to writing corrected data to only the error sectors. Notwithstanding, Satoh describes writing defective data to alternate sectors, not to only the error sectors. Thus, the functionality of Satoh is completely different from the present invention. As discussed above, the invention recited in claims 1 and 10 includes writing to only error sectors and reduces processing time and prevents non-error sectors from being re-written with further errors. As a result,

BEST AVAILABLE COPY

-7-

Applicants respectfully submit that claims 1 and 10 are allowable over the combination of Iwamura and Satoh.

Further, Applicants submit that many of the dependent claims are independently patentable. In particular, claims 6 and 15 recite a method and system, respectively, wherein data is read from only the error sectors during an intermediate operation. Applicants respectfully submit that neither Iwamura nor Satoh teach reading data only from the error sectors during an intermediate operation. Applicants further submit that the combination of the references does not suggest such an intermediate operation.

In view of the foregoing, Applicants respectfully request that the rejection of the pending claims, namely claims 1, 2, 5-11 and 13-17 be withdrawn. Reconsideration and allowance of all pending claims is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Todd R. Froněk, Reg. No. 48,516
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612)334-3222 Fax: (612)339-3312

TRF:jmb